

Appl. No. 10/802,177
Amdt. dated June 21, 2005
Reply to Office action of March 24, 2005

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action. Favorable reconsideration of the application is hereby requested in view of the comments made herein.

The drawings were objected to under 37 CFR 1.83(a) for not showing every feature of the invention specified in the claims. New Fig. 7 is provided herein in accordance with the Examiner's suggestions and in compliance with 37 CFR 1.121(d). No new matter has been added by the addition of Fig. 7. Withdrawal of this objection is respectfully requested.

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. Claim 6 has been amended herein to specify that the brackets are adjustable to adjust a position of the switch. Paragraph [017] has been amended herein to provide antecedent basis for the D-shaped cross section of the switch, as set forth in claim 11. No new matter has been added by the amendment to paragraph [017]. Withdrawal of this objection is respectfully requested.

Claim 6 was objected to for containing informalities. As stated above, claim 6 has been amended herein to specify that the brackets are adjustable to adjust a position of the switch. Withdrawal of this objection is respectfully requested.

Claims 1-4, 6-8, 10, and 11 were rejected under 35 U.S.C. 102(b) as being anticipated by Seiji (JP 59-045295). Traversal of this rejection is made for at least the following reasons. Regarding claim 1, Seiji does not disclose *an indicator in electrical communication with the*

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switch to indicate to an operator of the watercraft when the rudder of the watercraft is in a centered position. Seiji discloses an above board steering lever coupled to a cam board.

When the steering lever is in a centered position, the cam board contacts a switch to allow a tilt-up operation of a propelling unit. Thus, the cam and switch assembly of Seiji is merely provided so that a tilt-up operation by a tilt-up device can be performed only when the helm angle is in an almost neutral position, thereby mitigating damage to the propelling unit. An indicator in electrical communication with the switch is absent from Seiji. Further, because the steering lever is above board and thus, alone provides a visual indicator of the helm angle, or rudder position, a separate indicator in electrical communication with the switch, as required by claim 1, would have been unnecessary.

Regarding claim 8, Seiji does not disclose *a steering linkage bar*, a cam coupled to the steering linkage bar, means for contacting the cam when the watercraft is centered, and *means for indicating when the rudder of the watercraft is centered*. As discussed above, the cam and switch assembly of Seiji is only provided to prevent a tilt-up operation of the propelling unit when the helm angle is not in a neutral position. The steering lever is above board and thus, alone, provides a visual indication of the rudder angle. Accordingly, a separate means for indicating when the rudder is centered, as required by claim 8, is absent from and an unnecessary feature of Seiji.

Because Seiji does not disclose each and every limitation set forth in independent claims 1 and 8, Seiji cannot anticipate such claims. Withdrawal of this rejection is respectfully requested.

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Claims 5 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Seiji (JP 59-045295) in view of Ziehm (US 6,201,483). Traversal of this rejection is made for at least the following reasons. There is nothing within the references themselves or within the knowledge of one skilled in the art at the time of the invention to combine the references in the manner suggested by the Examiner. The Examiner contends that having an indicator light, as disclosed in Ziehm, on the watercraft of Seiji would have provided a sure mechanism to alert an operator when it was safe to initiate a tilting operation and also would have provided a guidance mechanism for steering the watercraft in a straight direction. However, the above board steering lever of Seiji alone provided a visual indication of the rudder position. Having an additional indicator would have been redundant and unnecessary.

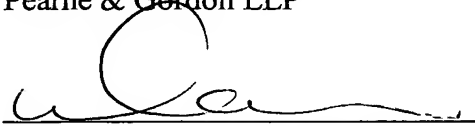
Because there is no motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, claims 5 and 9 are not rendered obvious by the proposed combination of Seiji and Ziehm.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

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If there are any further fees required by this communication, or if no check is enclosed, please charge such fees to our Deposit Account No. 16-0820, Order No. 36185.

Respectfully submitted,
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